

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

FARMINGTON CASUALTY COMPANY,

Plaintiff,

-v-

6:08-CV-247-DNH-DEP

PETER MARSHALL AND LINDA MARSHALL,
Individually and as Parents and Natural
Guardians of Z.M., and RICHARD T. DENERO
as Parent and Natural Guardian of Z.D.,

Defendants.

DAVID N. HURD
United States District Judge

ORDER

Pursuant to the oral decision of the Court, entered into the record after hearing oral argument on April 23, 2009, in Utica, New York, it is hereby

ORDERED that plaintiff's motion for summary judgment is GRANTED, and plaintiff is GRANTED declaratory judgment that it is not obligated to defend or indemnify Peter Marshall, Linda Marshall, or their son, Z.M., for claims brought by or on behalf of Z.D. or his father, Mr. Denero, arising out of the altercation on May 18, 2007.

The Clerk of the Court is directed to enter judgment accordingly.

IT IS SO ORDERED.


United States District Judge

Dated: April 23, 2009
Utica, New York.